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EXAMINER	
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3684	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/670,030	CAMBRIDGE, VIVIEN JOHAN	
	Examiner	Art Unit	
	BENJAMIN S. FIELDS	3684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 May 2011*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *21-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *21-37* is/are rejected.

7)☒ Claim(s) *21* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. A **request for continued examination (RCE)** under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), **was filed** in this application **AFTER FINAL rejection**. Since this application is **eligible** for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the **FINALITY** of the previous Office action has been **WITHDRAWN** pursuant to 37 CFR 1.114. Applicant's submission filed on 17 May 2011 has been entered.

2. The following is a **NON-FINAL** Office Action in response to the communication received on 17 May 2011. Claims 21-37 are now pending in this application.

Response to Amendments

3. Applicant's Amendment has been acknowledged in that: **NO Claims have been amended**; **Claims 1-20 have been cancelled**; **Claims 21-37 have been newly added**; hence, as such, **Claims 21-37 are pending in this application**.

Claim Objections

4. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim 21 has been renumbered claim 20. Claim 21 never existed previously.

Appropriate correction is requested.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 21-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandvick et al. (US Pat. No. 6,368,268), [hereinafter Sandvick] in view of Hovland et al. (US Pat. No. 6,169,914), [hereinafter Hovland].

Referring to Claim 21 [22]: Sandvick shows an input device used for sexual interaction, the input device comprising: a tubular body that has an orifice [for receiving a male penis] (Sandvick: Abstract; Figure 1); and a processor connected to the tubular body, wherein: the processor determines an output signal, [wherein the output signal is adjusted corresponding to movement of the male penis in relation to the tubular body] (Sandvick: Abstract; Figure 1; Column 1, Line 57-Column 2, Line 18); and the processor communicates the output signal to an output device (Sandvick: Abstract; Figure 1; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-10).

Sandvick, however, does not expressly discuss a tubular body that has an orifice [for receiving a male penis]; [wherein the output signal is adjusted corresponding to movement of the male penis in relation to the tubular body].

Hovland, in a similar environment, shows a tubular body that has an orifice for receiving a male penis (Hovland: Abstract; Figures 1, 2, 4; Claims 1-10); wherein the output signal is adjusted corresponding to movement of the male penis in relation to the tubular body (Hovland: Abstract; Figures 1, 2, 4; Claims 1-10).

At the time of invention it would have been obvious to one of ordinary skill in the art to modify the method of Sandvick for a method and device for interactive virtual control of sexual aids using digital computer networks with the features of Hovland for devices and methods for monitoring arousal for the purpose of effectuating and controlling a stimulation aid from a remote location via/for a recipient (Sandvick: Abstract; Column 1, Lines 42-67).

Referring to Claim 22 [23]: Sandvick teaches the limitations of Claim 21.

Sandvick, however, does not expressly discuss an input device, wherein the tubular body contains a pneumatic fluid, a first end of the tubular body has a first fitting with the orifice for receiving the male penis and a second end of the tubular body has a second fitting for sealing the tubular body, the input device further comprising: a hose that is connected to the pneumatic fluid in the tubular body; a second tubular body containing fluid, wherein the hose is further connected to the fluid in the second tubular body such that the second tubular body is in fluid communication with the tubular body and wherein the second tubular body comprises a piston driven by a rod, wherein the

piston and the rod receive a displacement within the second tubular body in response to the pneumatic fluid being displaced in the tubular body; and the processor connected to the second tubular body, wherein the processor determines the displacement of the piston and the rod within the second tubular body and generates the output signal based at least in part on the determined displacement.

Hovland, in a similar environment, shows an input device, wherein the tubular body contains a pneumatic fluid, a first end of the tubular body has a first fitting with the orifice for receiving the male penis and a second end of the tubular body has a second fitting for sealing the tubular body, the input device further comprising: a hose that is connected to the pneumatic fluid in the tubular body (Hovland: Abstract; Figures 1, 2, 4; Claims 1-10); a second tubular body containing fluid, wherein the hose is further connected to the fluid in the second tubular body such that the second tubular body is in fluid communication with the tubular body and wherein the second tubular body comprises a piston driven by a rod, wherein the piston and the rod receive a displacement within the second tubular body in response to the pneumatic fluid being displaced in the tubular body (Hovland: Abstract; Figures 1, 2, 4; Claims 1-10); and the processor connected to the second tubular body, wherein the processor determines the displacement of the piston and the rod within the second tubular body and generates the output signal based at least in part on the determined displacement (Hovland: Abstract; Figures 1, 2, 4; Claims 1-10).

At the time of invention it would have been obvious to one of ordinary skill in the art to modify the method of Sandvick for a method and device for interactive virtual

control of sexual aids using digital computer networks with the features of Hovland for devices and methods for monitoring arousal for the purpose of effectuating and controlling a stimulation aid from a remote location via/for a recipient (Sandvick: Abstract; Column 1, Lines 42-67).

Referring to Claim 23 [24]: Sandvick discloses an input device further comprising an elongated bag connected to the first fitting, wherein the bag forms the orifice within the tubular body for receiving the male penis (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-20).

Referring to Claim 24 [25]: Sandvick discusses the limitations of Claim 21.

Sandvick, however, does not expressly teach an input device, wherein the piston in tile second tubular body is contacted by a spring, wherein the spring presses against the piston such that the fluid in the second tubular body is continuously under pressure and such that the piston returns to a rest position after the pneumatic fluid in the tubular body has undergone a perturbation.

Hovland, in a similar environment, shows an input device, wherein the piston in tile second tubular body is contacted by a spring, wherein the spring presses against the piston such that the fluid in the second tubular body is continuously under pressure and such that the piston returns to a rest position after the pneumatic fluid in the tubular body has undergone a perturbation (Hovland: Abstract; Figures 1, 2, 4; Claims 1-10).

At the time of invention it would have been obvious to one of ordinary skill in the art to modify the method of Sandvick for a method and device for interactive virtual control of sexual aids using digital computer networks with the features of Hovland for

devices and methods for monitoring arousal for the purpose of effectuating and controlling a stimulation aid from a remote location via/for a recipient (Sandvick: Abstract; Column 1, Lines 42-67).

Referring to Claim 25 [26]: Sandvick discusses the limitations of Claim 21.

Sandvick, however, does not expressly teach an input device further comprising a flexible balloon that encloses the fluid in the second tubular body such that fluid remains within the second tubular body prior to the piston.

Hovland, in a similar environment, shows an input device further comprising a flexible balloon that encloses the fluid in the second tubular body such that fluid remains within the second tubular body prior to the piston (Hovland: Abstract; Figures 1, 2, 4; Claims 1-10).

At the time of invention it would have been obvious to one of ordinary skill in the art to modify the method of Sandvick for a method and device for interactive virtual control of sexual aids using digital computer networks with the features of Hovland for devices and methods for monitoring arousal for the purpose of effectuating and controlling a stimulation aid from a remote location via/for a recipient (Sandvick: Abstract; Column 1, Lines 42-67).

Referring to Claim 26 [27]: Sandvick shows an input device further comprising a wheel having apertures near a perimeter of the wheel, wherein the wheel is connected to the rod such that movement of the rod causes the wheel to rotate (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-20).

Referring to Claim 27 [28]: Sandvick discusses an input device further comprising a light emitting device and a light sensing device positioned such that light from the emitting device shines through at least one of the apertures of the wheel and the light is received by the light sensing device, wherein the received light is converted to digital data that is transmitted to the processor and wherein the processor uses the digital data to correlate an amount of the pneumatic fluid being displaced from the tubular body (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-10).

Referring to Claim 28 [29]: Sandvick teaches an input device, wherein the processor is further configured to instruct another processor to move a thrusting rod that is connected to the another processor based at least in part on the communicated output signal (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 8-32).

Referring to Claim 29 [30]: Sandvick discloses an input device, wherein the processor is further configured to: receive movement signals from the another processor connected to the output device (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 8-32); and generate responsive signals that move the rod and the piston, wherein the movement of the rod and the piston displaces fluid in the second tubular body and the displaced fluid in the second tubular body causes the pneumatic fluid to be displaced in the tubular body (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 8-32).

Referring to Claim 30 [31]: Sandvick discusses the limitations of Claim 21.

Sandvick, however, does not expressly teach an input device, wherein the processor is further configured to determine a degree of penetration based at least in part on the movement of the male penis in relation to the tubular body.

Hovland, in a similar environment, shows an input device, wherein the processor is further configured to determine a degree of penetration based at least in part on the movement of the male penis in relation to the tubular body (Hovland: Abstract; Figures 1, 2, 4; Claims 1-10).

At the time of invention it would have been obvious to one of ordinary skill in the art to modify the method of Sandvick for a method and device for interactive virtual control of sexual aids using digital computer networks with the features of Hovland for devices and methods for monitoring arousal for the purpose of effectuating and controlling a stimulation aid from a remote location via/for a recipient (Sandvick: Abstract; Column 1, Lines 42-67).

Referring to Claim 31 [32]: Sandvick discusses the limitations of Claim 21.

Sandvick, however, does not expressly teach an input device, wherein the processor is further configured to correlate the determined displacement with the degree of penetration of the penis into the orifice of the tubular body.

Hovland, in a similar environment, shows an input device, wherein the processor is further configured to correlate the determined displacement with the degree of penetration of the penis into the orifice of the tubular body (Hovland: Abstract; Figures 1, 2, 4; Claims 1-10).

At the time of invention it would have been obvious to one of ordinary skill in the art to modify the method of Sandvick for a method and device for interactive virtual control of sexual aids using digital computer networks with the features of Hovland for devices and methods for monitoring arousal for the purpose of effectuating and controlling a stimulation aid from a remote location via/for a recipient (Sandvick: Abstract; Column 1, Lines 42-67).

Referring to Claim 32 [33]: Sandvick discloses an output device for sexual interaction, the output device comprising: a processor that is configured to: receive an input signal based at least in part on an electronic displacement signal from another processor that is connected to an input device that receives an object, [wherein the electronic displacement signal is associated with a degree of penetration of the object into the input device] (Sandvick: Figures 1-3; Claims 1-20); and transmit instructions to driver circuitry, wherein the driver circuitry causes a motor to move an arm connected to a first rod ; the first rod connected to a thrusting rod with a swivel pin, wherein at least a portion of the thrusting rod is enclosed by a steadying rod having bearings between the trusting rod and the steadying rod (Sandvick: Figures 1-3; Claims 1-20); and a phallic object attached to an end of the thrusting rod, wherein the thrusting rod moves the phallic object based on the received input signal (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 8-32).

Sandvick, however, does not expressly discuss wherein the electronic displacement signal is associated with a degree of penetration of the object into the input device.

Hovland, in a similar environment, shows wherein the electronic displacement signal is associated with a degree of penetration of the object into the input device (Hovland: Abstract; Figures 1, 2, 4; Claims 1-10).

At the time of invention it would have been obvious to one of ordinary skill in the art to modify the method of Sandvick for a method and device for interactive virtual control of sexual aids using digital computer networks with the features of Hovland for devices and methods for monitoring arousal for the purpose of effectuating and controlling a stimulation aid from a remote location via/for a recipient (Sandvick: Abstract; Column 1, Lines 42-67).

Referring to Claim 33 [34]: Sandvick teaches an output device further comprising a video camera connected to the processor, wherein the video camera monitors the sexual interaction of the phallic object with a person and capturing video signals corresponding to the sexual interaction (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-12).

Referring to Claim 34 [35]: Sandvick discusses an output device, wherein the processor is further configured to transmit the captured video signals to at least one other processor for viewing (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-20).

Referring to Claim 35 [36]: Sandvick shows an output device, wherein the motor creates a rotary motion to the arm which then creates the movement of the thrusting rod (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 8-32).

Referring to Claim 36 [37]: Sandvick discusses an output device, wherein the processor is configured to control the motor to turn at one of a plurality of speeds and one of a plurality of directions (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-20).

Referring to Claim 37 [38]: Sandvick teaches an output device, wherein the trusting rod moves in a direction along a longitudinal axis of the steadying rod (Sandvick: Figures 1-3; Column 1, Line 57-Column 2, Line 18; Column 2, Line 52-Column 4, Line 51; Claims 1-20).

Response to Arguments

7. Applicant's arguments filed 17 May 2010 have been fully considered but have been found to be **moot** and **non-persuasive** in view of the **new grounds of rejection** presented herein.

Conclusion

8. Any inquiry concerning this communication should be directed to BENJAMIN S. FIELDS at telephone number 571.272.9734. The examiner can normally be reached MONDAY THRU FRI (between the hours of 9AM and 7PM). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JASON DUNHAM can be reached at 571.272.8109. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thomas Dixon/

Primary Examiner, Art Unit 3684

Benjamin S. Fields
1 August 2011